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## AND TRADEMARK OFFICE

Appl. No. 10//577,970

Applicant Yukiko SUGIHARA et al

Filed May 3, 2006

TC/A.U. 1609

Examiner Jonathan S. LAU

06303/HG Docket No. :

Customer No.: 01933

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## RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## MAIL STOP AMENDMENT

SIR:

This is in response to the Office Action mailed September 26, 2007 which is a 30-day restriction requirement.

The Office Action sets forth a restriction requirement under 35 USC 121 between Groups I, II, III and IV.

Group I (claims 1-8) is provisionally elected with traverse.

The restriction requirement is traversed on the ground that as a matter of law, the wrong criteria were applied. restriction requirement refers to the practice set forth in MPEP \$802.01, \$806.05 and \$806.06 which is consistent with the

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope

addressed to: Commissioner for Patents,

P.O. Box 1450

Alexandria VA on the date noted

trorney:

Dated: October 19, 2007

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

rationale for the restriction requirement set forth on pages 2-5 of the Office Action. However, this criteria applies to regular United States applications, i.e. applications filed under 35 USC 111, and does not apply to the present application.

The present application is a United States national phase of an international application filed under 35 USC 371.

37 CFR 1.475 and 1.499 govern the practice involving unity of invention which is applied to United States national phase applications (see MPEP §1893.03(d)).

It is respectfully submitted that the claims in the present application meet the unity of invention criteria which is applicable to the present application.

Withdrawal of the restriction requirement and examination of all of the claims is solicited.

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HG/lpv

Respectfully submitted,

RBERT GOODMAN

Reg. No. 17,081

-2-